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FREDRICK F. DAWSON
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FREDRICK F. DAWSON,

15 Defendant.
16

Case No. 5:22-cr-00001-CDB

**STIPULATION TO CONTINUE STATUS
CONFERENCE; [~~PROPOSED~~] ORDER**

Date: July 11, 2023

Time: 10:00 a.m.

Judge: Hon. Christopher D. Baker

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Special Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and
19 Assistant Federal Defender Erin Snider, counsel for Fredrick F. Dawson, that the Court may
20 continue the status conference currently scheduled for May 2, 2023, at 10:00 a.m. to July 11,
21 2023, at 10:00 a.m. before the Honorable Christopher D. Baker.

22 On June 3, 2022, the government filed an Information charging Mr. Dawson with one
23 count of theft of government property. *See* ECF No. 7, Case No. 1:22-cr-00107-ADA-1. The
24 magistrate judge thereafter dismissed the Information without prejudice on the basis of a Speedy
25 Trial Act violation. *See* ECF No. 18, Case No. 1:22-cr-00107-ADA-1. The defense filed a timely
26 appeal to the district court judge, arguing that the magistrate judge erred in dismissing the case
27 without prejudice. *See* ECF No. 20, Case No. 1:22-cr-00107-ADA-1. As of December 5, 2022,
28 the appeal has been fully briefed and the parties are awaiting a ruling from the district judge. *See*

ECF No. 29, Case No. 1:22-cr-00107-ADA-1.

Meanwhile, the government refiled the charge against Mr. Dawson, which is the instant case. Because the pending appeal may impact the government's ability to proceed with this prosecution, the parties agree that, in the interest of efficiency, this case should trail the pending appeal.

In addition to the pending appeal, this case involves voluminous discovery—approximately 3,880 Bates-marked pages. Defense counsel requires time to review discovery and consult with her client. Defense counsel believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Based on the above, the parties agree that the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act, and the parties agree that, for the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period May 2, 2023, to July 11, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: April 24, 2023

/s/ Chan Hee Chu
CHAN HEE CHU
Special Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: April 24, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
FREDRICK F. DAWSON

ORDER

IT IS SO ORDERED. The status conference currently scheduled for May 2, 2023, at 10:00 a.m. is hereby continued to July 11, 2023, at 10:00 a.m. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 2, 2023, to July 11, 2023, inclusive, is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: **April 25, 2023**


UNITED STATES MAGISTRATE JUDGE